

ENVIRONMENTAL REVIEW PROCESS FOR RESPONSIBLE ENTITIES 24 CFR PART 58

“UNIT OF GENERAL LOCAL GOVERNMENT” (UGLG)

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ENVIRONMENTAL REVIEW PROCESS

- ▣ Purpose
- ▣ Federal Laws and Regulations
 - National Environmental Policy Act of 1969
 - 24 CFR Part 58 (Local Government)
 - 24 CFR Part 51 Manmade Hazards
 - 24 CFR Part 55 Floodplains and Wetlands
- ▣ Letter of Conditional Commitment

ENVIRONMENTAL REVIEW PROCESS

- ▣ Grantee Responsibilities
- ▣ Designate An Environmental Review Officer
- ▣ Start A File and Label It Environmental Review Record (ERR)

ENVIRONMENTAL REVIEW PROCESS

- ▣ Classifying the Activity
 - Exempt Activities § 58.34
 - Categorically Excluded Activities:
 - ▣ § 58.35(a) Activities Subject to 58.5
 - ▣ § 58.35(b) Activities NOT Subject to 58.5
 - Activities Requiring an Environmental Assessment § 58.36
 - Activities Requiring an Environmental Impact Statement § 58.37
- ▣ Compliance with § 58.6 “Other Requirements”

ENVIRONMENTAL REVIEW PROCESS

Conducting the Appropriate Level of Review

- ▣ EXEMPT “Level of Review § 58.34”
 - Document Determination in Writing
 - Document Compliance with § 58.6
 - Sign and Date
 - No RROF is Required
 - Send a Copy to ADECA Environmental Specialist
 - Put the Exemption Form in Your Environmental Review Record (ERR)

ENVIRONMENTAL REVIEW PROCESS

- ▣ Categorically Excluded Not Subject to § 58.5
“Level of Review § 58.35(b)”
 - Document Determination in writing
 - Document Compliance with 58.6
 - Sign and Date
 - No RROF is Required
 - Put the Categorically Excluded Form in Your Environmental Review Record (ERR)
 - Send a Copy to ADECA Environmental Specialist
 - Receive Grant Agreement from ADECA (After ADECA Receives Acceptable LCC Documents)

ENVIRONMENTAL REVIEW PROCESS

- ▣ Categorically Excluded Activities Subject to § 58.5 “Level of Review § 58.35(a)”
 - Complete Statutory Checklist
 - If Compliance is Triggered:
 - ▣ Publish/Post Notice of Intent to Request Release of Funds (NOI/RROF)
 - ▣ Wait 7days (publish)/10 days (post)
 - ▣ Place the Notice(s), Findings, Comments and Responses in the Environmental Review Record (ERR)
 - ▣ Send a Copy of Affidavit of Publication or Posting and the Request for Release of Funds & Certification to ADECA Environmental Specialist
 - ▣ ADECA waits 15 Days
 - ▣ Receive Notice of Removal of Grant Conditions

ENVIRONMENTAL REVIEW PROCESS

- ▣ Categorically Excluded Activities Subject to § 58.5 “Level of Review § 58.35(a)”
 - Complete Statutory Checklist
 - If Compliance is NOT Triggered:
 - ▣ Project reverts to Exempt
 - ▣ Document Determination in Writing [§ 58.34(a)(12) & (b)]
 - ▣ No RROF is Required
 - ▣ Put the Categorically Excluded Form in Your Environmental Review Record (ERR)
 - ▣ Send a Copy to ADECA Environmental Specialist
 - ▣ Receive Grant Agreement from ADECA (After ADECA Receives Acceptable LCC Documents)

ENVIRONMENTAL REVIEW PROCESS

▣ Environmental Assessment § 58.36

“Level of Review”

- Complete the Environmental Assessment Form for HUD Funded Activities
 - ▣ Publish /Post Combine Notice (FONSI & NOI/RROF)
 - ▣ Wait 15 (Publish)/18 (Post) days
 - ▣ Place the Notice(s), Findings, Comments and Responses in the Environmental Review Record (ERR)
 - ▣ Send a Copy of Affidavit of Publication or Posting and the Request for Release of Funds & Certification to ADECA Environmental Specialist
 - ▣ ADECA waits 15 Days
 - ▣ Receive Notice of Removal of Grant Conditions

ENVIRONMENTAL REVIEW PROCESS

- ▣ Environmental Impact Statement 58.37
“Level of Review”

Completed for:

- Controversial Projects
- Finding of Significant Impacts (FOSI)
- Large Projects [2,500 or more units (houses)]

STOP!!!

Contact ADECA Environmental Specialist

ENVIRONMENTAL REVIEW PROCESS

24 CFR Part 55 – Floodplain and Wetland
Executive Orders 11988 & 11990

- ▣ Determinations on Floodplain and Wetland
- ▣ Publish an “Early Public Notice”
- ▣ Allow 15 Days from Date of Publication
- ▣ Must be Published in Newspaper
- ▣ Publish a “ Notice of Explanation”
- ▣ Allow 7 Days from Date of Publication
(May be Published with NOI/RROF & FONSI)
- ▣ Place Notices , Findings, Comments in ERR
- ▣ Send “Affidavit of Publication” for Both Notices
with RROF and Certification to ADECA

ENVIRONMENTAL REVIEW PROCESS

- ▣ Time Periods:
 - All time periods shall be counted in Calendar Days
 - The first day of a time period begins at 12:01a.m. local time on the day following the publication or the mailing and posting date of the notice which initiates the time period.

ENVIRONMENTAL REVIEW PROCESS

HUD Notice: CPD-12-006

Issued: June 15, 2012

Subject: Process for Tribal Consultation in Projects
That Are Reviewed Under 24 CFR Part 58

HUD Website:

www.hud.gov/offices/cpd/environment/atec.cfm

Assessment Tools for Environmental Compliance
“Tribal Directory Assessment Information”

ENVIRONMENTAL REVIEW PROCESS

- ▣ ADECA'S Website:
www.adeca.alabama.gov
- ▣ Community and Economic Development Programs (CDBG)
 - Implementation Manual Volume I
 - CDBG Current Forms and Sample Documents
 - ▣ Environmental
- ▣ HUD's Website:
www.hud.gov/offices/cpd/environment

ENVIRONMENTAL REVIEW PROCESS

Remember!

You must receive a “Notice of Removal of Grant Conditions” from ADECA/State before you can obligate funds for your project.

QUESTIONS

Thank You